

HOUSE BILL No. 1200

DIGEST OF INTRODUCED BILL

Citations Affected: IC 13-21-3-5.

Synopsis: Solid waste district board. Allows a change in the composition of the county solid waste district board if the county executive and the county fiscal body agree to the change.

Effective: July 1, 2005.

Thompson

January 6, 2005, read first time and referred to Committee on Local Government.

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Introduced

First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

HOUSE BILL No. 1200

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 13-21-3-5 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 5. (a) Except as
3 provided in subsections (b) through ~~(d)~~, (e), the board of a county
4 district consists of the following members:

5 (1) Two (2) members appointed by the county executive from the
6 membership of the county executive.

7 (2) One (1) member appointed by the county fiscal body from the
8 membership of the fiscal body.

9 (3) One (1) member:

10 (A) who is the executive of the municipality having the largest
11 population in the county if that municipality is a city; or

12 (B) appointed from the membership of the legislative body of
13 a town if the town is the municipality having the largest
14 population in the county.

15 (4) One (1) member of the legislative body of the municipality
16 with the largest population in the county appointed by the
17 legislative body of that municipality.



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(5) One (1) member:

(A) who is the executive of a city in the county that is not the municipality having the largest population in the county; or

(B) who is a member of the legislative body of a town that is not the municipality having the largest population in the county;

and who is appointed by the executive of that county to represent the municipalities in the county other than the municipality having the largest population.

(6) One (1) additional member appointed by the county executive from the membership of the county executive.

(b) **Except as provided in subsection (e)**, if a county having a population of more than four hundred thousand (400,000) but less than seven hundred thousand (700,000) is designated as a county district, the executives of the three (3) cities in the county having the largest populations each serve as a member of the board or may appoint a member of the legislative body of their city to serve as a member of the board. If a county having a population of more than two hundred thousand (200,000) but less than three hundred thousand (300,000) is designated as a county district, the executives of the two (2) cities in the county having the largest populations each serve as a member of the board. If a county having a population of more than two hundred thousand (200,000) but less than three hundred thousand (300,000) is designated as a county district, the board of that county district must include the following:

(1) One (1) member of the legislative body of the city having the second largest population in the county, appointed by the president of the city legislative body.

(2) One (1) member of the legislative body of a town located in the county, appointed by the judge of the circuit court in the county.

(c) **Except as provided in subsection (e)**, if a county having a consolidated city is designated a county district, the board of public works established under IC 36-3-5-6 constitutes the board of the county district.

(d) **Except as provided in subsection (e)**, if a county designated as a county district has a population of more than four hundred thousand (400,000) but less than seven hundred thousand (700,000), the board of the district consists of the following members:

(1) One (1) member appointed by the county executive from the membership of the county executive.

(2) Two (2) members appointed from the county fiscal body

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1 appointed from the membership of the county fiscal body.

2 (3) The executive of each second or third class city or a member
3 of the legislative body of their city appointed by the executive.

4 (4) One (1) member of the legislative body of each town
5 appointed by the legislative body.

6 (5) One (1) member of the legislative body of the municipality
7 with the largest population in the county appointed by the
8 legislative body of that municipality.

9 (6) If a local government unit in the county has an operating final
10 disposal facility located within the unit's jurisdiction, one (1)
11 member of the unit's board of public works appointed by the
12 board of public works.

13 **(e) If the county executive and the county fiscal body of a county**
14 **designated as a county district agree, the board of the district shall**
15 **consist of the following nine (9) members:**

16 **(1) If the county designated as a county district:**

17 **(A) does not have a consolidated city, the three (3)**
18 **members of the county executive; or**

19 **(B) has a consolidated city, the mayor of the consolidated**
20 **city and two (2) members appointed by the mayor of the**
21 **consolidated city.**

22 **(2) Two (2) members of the county fiscal body, to be chosen by**
23 **the county fiscal body.**

24 **(3) One (1) member of each of the municipal legislative bodies**
25 **of the four (4) municipalities having the largest population**
26 **within the county, chosen by each municipal legislative body.**

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